

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

\*\*\*\*\*

**UNITED STATES OF AMERICA,**  
**Plaintiff,**

**v.**

**Index No.**  
**Case No.: 13-CR-406 (MAD)**

**LEE SMITH, et al,**  
**Defendants.**

\*\*\*\*\*

**NOTICE OF LIS PENDENS**

**NOTICE IS HEREBY GIVEN** that commencement and pendency of the above-captioned criminal action, brought by the United States by its attorney, Richard S. Hartunian, United States Attorney, for the Northern District of New York, and Gwendolyn E. Carroll, Assistant United States Attorney, against the above named defendants by an Indictment seeking forfeiture to the United States of real property listed herein pursuant to 18 U.S.C. § 853.

The current record title holders for the real property are:

**LEE SMITH AND ELAINE SMITH**

The land and premises to be affected by this suit is commonly known as *County Route 40, in the Town of Westville, New York, Tax Map ID: 9.-2-6* and is more fully set forth in "Schedule A", attached hereto and made a part hereof.

For further information concerning this action, reference may be made to the records of the Clerk of the Court for the United States District Court for the Northern District of New York.

Dated: December 19, 2013

RICHARD S. HARTUNIAN  
United States Attorney  
Northern District of New York  
218 James T. Foley Courthouse  
445 Broadway  
Albany, New York 12207  
Tele. (315) 448-0672

By: *s/ Gwendolyn E. Carroll*  
Gwendolyn E. Carroll  
Assistant U. S. Attorney  
Bar Roll No. 515777

**TO THE FRANKLIN COUNTY CLERK:**

You are hereby directed to index the attached Notice of Pendency against:

**LEE SMITH AND ELAINE SMITH**

RICHARD S. HARTUNIAN  
United States Attorney  
Northern District of New York  
218 James T. Foley Courthouse  
445 Broadway  
Albany, New York 12207  
Tele. (315) 448-0672

By: *s/ Gwendolyn E. Carroll*  
Gwendolyn E. Carroll  
Assistant U. S. Attorney  
Bar Roll No. 515777

**SCHEDULE A**

**County Route 40, in the Town of Westville, New York, Tax Map ID: 9.-2-6**

**ALL THAT TRACT, PIECE OR PARCEL OF LAND**, situate in the town of WESTVILLE, county of Franklin, and State of New York and described as follows:

WESTVILLE, TOWN OF  
Macomb's Purchase  
Great Tract#1  
Twp. #3  
Smith, Lee & Elaine  
Lot No. 11  
Sulphur Springs Road  
120,  
20.00A.,  
Bounded N. by Sulphur Springs Road  
E. by Constable Line  
S. by Ramond  
W. by McGibbon

Tax Map I.D.# 9.-2-6

**BEING** the same premises conveyed to Lee and Elaine Smith, by deed from Franklin County, State of New York, a Municipal Corporation, dated March 11, 1988 and recorded on November 1, 1988, in the Franklin County Clerk's Office in Book 538 of Deeds at page 748.